



CRL OP(MD). No.18923 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.10.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.18923 of 2025

1. Esakkipandi
2. Uykattan

... Petitioner/ Accused No. 1 & 2

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Serakulam Police Station,
Thoothukudi District.
(Crime No.79 of 2025)

... Respondent/Complainant

For Petitioners : Mr.C.Venkatesh

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl. side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.79 of 2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 131, 351(3) of BNS, and Section 3 of TNPPDL ACT, in Crime No.79 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that, due to previous enmity, the petitioner abused the defacto complainant in filthy language, assaulted him, damaged the left side mirror of his bike, and threatened him. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that the injured was treated as an outpatient.



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He further submitted that five previous case are pending against the first petitioner and three previous cases are pending against the second respondent and that both are history sheeters.

5. Taking into consideration of the facts and circumstances of the case and also considering the fact that the injured was treated as an outpatient, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Srivaikundam, Thoothukudi, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:



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(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police daily at 10.30 a.m until further orders. They have to co-operate for the investigation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;



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(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS 2023.

(S S Y J)
30.10.2025

jbr

To

1. The Judicial Magistrate No.I,
Srivaikundam, Thoothukudi.
2. The Inspector of Police,
Serakulam Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

jbr

ORDER
IN
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